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International Business Machines Corporation*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,


Defendant/Counterclaim-Plaintiff.

**STIPULATION RE BRIEFING ON SCO'S  
MOTION FOR LEAVE TO FILE A THIRD  
AMENDED COMPLAINT**

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

**FILED**  
CLERK, U.S. DISTRICT COURT  
**2004 OCT 27 P 2:09**  
DISTRICT OF UTAH  
BY:   
DEPUTY CLERK

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The parties, through their counsel of record, hereby stipulate and jointly move the Court for an Order amending the deadlines for briefing as follows:

- (a) IBM's Memorandum in Opposition to SCO's Motion for Leave to File a Third Amended Complaint Pursuant to Federal Rules of Civil Procedure 15(a) and 16(b) shall be due on November 23, 2004; and
- (b) SCO's Reply Memorandum in Support of its Motion for Leave to File a Third Amended Complaint Pursuant to Federal Rules of Civil Procedure 15(a) and 16(b) shall be due on December 21, 2004.

The parties submit herewith a proposed Order confirming these deadlines.

DATED this 21<sup>st</sup> day of October, 2004.

SNELL & WILMER L.L.P.



Alan L. Sullivan  
Todd M. Shaughnessy  
Amy F. Sorenson

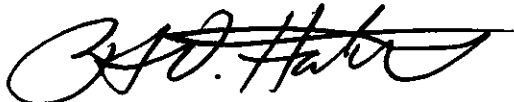
CRAVATH, SWAINE & MOORE LLP

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International Business Machines Corporation*

DATED this 21<sup>st</sup> day of October, 2004.

HATCH, JAMES & DODGE, P.C.



Brent O. Hatch  
Mark F. James

*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

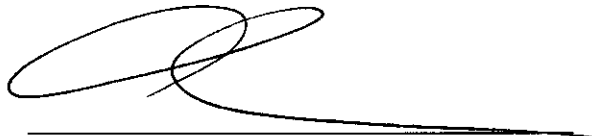
I hereby certify that on the 21<sup>st</sup> day of October, 2004, a true and correct copy of the foregoing was hand delivered to the following:

Brent O. Hatch  
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and was sent by U.S. Mail, postage prepaid, to the following:

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A handwritten signature in black ink, appearing to read 'Amy F. Sorenson', with a long horizontal line extending to the right.

Amy F. Sorenson